

### **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 3-5, 7, 10, 11 and 15-17 are currently pending. Claims 8, 9 and 12-14 are hereby canceled. Claims 15-17 are hereby added. Claims 1, 16 and 17 are independent. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1, 3-5 and 7-14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No.5,455,561 to Brown in view of U.S. Patent No. 5,208,667 to Saunders.

Applicants respectfully traverse this rejection.

Independent claim 1 is representative and recites, *inter alia*:

“a delay means for delaying transmittal of the image data received from the image pickup means by a predetermined delay time;

...  
detection means for detecting a predetermined variation in the image pickup object from within the image data produced by said image pickup means and generating a trigger signal in response to the variation detection, wherein the detection means and the delay means both receive the image data at substantially the same time;

...  
an image fetching means for fetching, in response to receiving the trigger signal, image data from the delay means; and

...  
storage means for storing the image data fetched by the fetching means,

...  
wherein the delay means adjusts the predetermined delay time in response to the predetermined variation to be detected by the image recognition means.”  
(Emphases added).

Referring to FIG. 8 of the present application, an image is picked up and the resulting image data is provided to both an image recognition section and a delaying section at the same time.

The image recognition section detects whether predetermined information (*e.g.*, movement, light variation, particular image pattern or other criteria for detection) exists within the image data. If the predetermined criteria is detected, a trigger signal is provided to an image fetching section. Upon receipt of the trigger, the image data is fetched from the delay means.

The delaying section delays the image data received from the image pickup section to compensate for the amount of time required for the image recognition section. The image fetching section fetches the image data from the delaying section in response to the trigger signal and outputs the fetched image for storage.

Moreover, the information to be detected by the image recognition section is set by a user in advance (claim 15). Publ. App. pars. [0051]-[0053].

Thus, the delay section functions to provide a delay time for the image detection section to detect the predetermined variation in the image data. The delaying section delays the image data by a time equal to the time required for the processes of the image recognition section outputs the delayed image data to the image fetching section. The delaying section adjusts the delay time in response to the information detected by the image recognition section.

Put another way, the image recognition section outputs a trigger signal to the image fetching section. The image fetching section fetches the image data from the delaying section in response to receiving the trigger signal from the image recognition section, and outputs the image data to the image storage section.

The delaying section adjusts the delay time in response to the type of information detected by the image recognition section. For example, when the image recognition section detects an intensity of light, a trigger signal is outputted when the lamp is turned on from an off state. However, it is meaningless if image data of the dark room after the lamp is turned off are recorded. Therefore, the delay time is adjusted so that image data immediately before the lamp is turned off may be recorded. Publ. App. pars. [0057]-[0059].

The Office Action points to Brown, col. 5, lines 27-50 for providing a synchronizing circuit (17) that enables image captures after a set periodic time. The Office Action asserts the image captures after a set periodic time is the same as adjusting a delay time such that image data immediately before detection of a human intruder is recorded. This was asserted against the now canceled claim 14, and the particular rejection is thus moot.

However, claim 1 recites the captured image is provided to two places: the detection section and the delaying section substantially at the same time. The image is recorded from the fetching section in response to the trigger from the detection section. The trigger is not the same as a synchronizing signal that causes multiple events to occur in a proper relationship to one another. The trigger may occur arbitrarily and is a signal to start recording. In the present invention the image is recorded from a device that delays the real-time image by a predetermined time period. This feature is not described in Brown.

Moreover, claim 1 goes on to recite, “the delay means adjusts the predetermined delay time in response to the predetermined variation to be detected by the image recognition means.” There is no suggestion Brown’s synchronizing circuit (17) adjusts the set delay time. Indeed, Brown specifically states, the clock signal (20) has a clock rate identical to the rate which frames are outputted from the video camera and said clock rate is used by the synchronizing circuit to count frames. Additionally, in an aspect of the present invention, the delay is adjusted based upon the variation that is sought to be detected. In Brown the frames counted by synchronizing circuit is arbitrarily set by a user.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 16 and 17 are also believed to be patentable.

#### DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1, 3-5 and 7-14 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

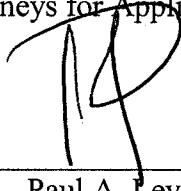
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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